

REMARKS

In the Official Action of December 29, 2003, Claims 1-12 and 17-23 were rejected under 35 USC 103(a). The present communication is fully responsive to the Official Action of December 29, 2003.

Claim Rejections – 35 USC 103

Claims 1-12 and 17-23 were rejected under the following 35 USC 103(a) rejections: Claims 1-7, 9, 11 and 12 were rejected as being unpatentable over Reilly (USPN 6427164) in view of Robertson (USPN 6269369); Claim 8 was rejected as being unpatentable over Reilly in view of Robertson and further in view of Trent et al (USPN 5961620); Claim 10 was rejected as being unpatentable over Reilly in view of Robertson and further in view of Trent and Despres et al (USPN 6434379); Claims 17-19 and 21 were rejected as being unpatentable over Lee et al (USPN 6108691) in view of Johnson et al (USPN 5664109); Claim 20 was rejected as being unpatentable over Lee in view of Johnson and further in view of Trent; and Claims 22 and 23 were rejected as being unpatentable over Lee in view of Johnson and further in view of Trent and Despres.

Applicant respectfully submits that the 103(a) rejections of the claims, as amended, are improper.

35 USC 103(a) Rejections of Claims 1-12

The 103(a) rejection of independent Claim 1 relies on Reilly in view of Robertson to teach the claimed limitations.

In order to establish *prima facie* obviousness, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981 (CCPA 1974). There is, however, no teaching or suggestion in either of the cited references for (a) receiving records of individuals from an existing database automatically and without registration by the individuals and

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further (b) *populating a web-based database with the individual records of the non-registered individuals*. Nor is there teaching or suggestion in either of the cited references for (c) *creating an access account . . .* and (d) *transmitting the access account to the non-registered individuals*. Both limitations are counter to the teachings of Reilly and Robertson.

Reilly discloses an electronic mail forwarding system. The system includes an address database for storing old email addresses in association with new email addresses for **registered users**. As discussed in column 6, lines 11-16, the "Forwarding server 300 preferably includes a database of new Internet addresses associated with old addresses for users that have **registered** these addresses with forwarding server 300 either directly or indirectly, for example, through a new ISP." As specifically recited, Reilly relies upon the registration by the users, either directly or indirectly. Creating a database for non-registered individuals and further creating and transmitting an access account to non-registered individuals would be counter to the teaching of Reilly.

Robertson discloses a personal contact manager. The personal contact manager has a "database 340 that contains contact information entered by **registered users**." (col. 4, lines 41-42). As specifically disclosed, the personal contact manager of Robertson relies on registration by the users to create its database.

As stated above, there is no teaching or suggestion in either of the above cited references for (a) *receiving records of individuals from an existing database automatically and without registration by the individuals* and further (b) *populating a web-based database with the individual records of the non-registered individuals*. Nor is there teaching or suggestion in either of the cited references for (c) *creating an access account . . .* and (d) *transmitting the access account to the non-registered individuals*. As such, any combination of the above cited references similarly fails teach or suggest the claimed limitations.

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For the above reasons, *prima facie* obviousness has not been established and the rejection of Claim 1 is improper. Similarly, the rejection of dependent Claims 2-12 is improper for the same reasons.

35 USC 103(a) Rejections of Claims 17-23

The 103(a) rejection of independent Claim 17 relies on Lee et al ("Lee") in view of Johnson et al ("Johnson") to teach the claimed limitations.

In order to establish *prima facie* obviousness, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981 (CCPA 1974). There is, however, no teaching or suggestion in either of the cited references for (c) *a broadcast system provided for distributing the access numbers to the unregistered customer*. Both limitations are counter to the teachings of Lee and Johnson.

Lee discloses an on-line directory system that enables searches and the use of various directory services. Lee provides for both registered and non-registered users. However, there is no teaching or suggestion in Lee for providing a (c) *broadcast system for distributing access numbers to [an] unregistered customer*. Such a limitation would be counter to the teachings of Lee.

Johnson discloses a medical network of computer servers. The server computers "store medical record documents and data for each patient of each **subscribing provider**." As discussed above with regards to Lee, there is no teaching or suggestion in Johnson for providing a (c) *broadcast system for distributing access numbers to [an] unregistered customer*. Such a limitation would be counter to the teachings of Johnson.

Without any teaching or suggestion in either of the above cited references for the limitation of providing a (c) *broadcast system for distributing access numbers to [an] unregistered*

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customer, any combination of the above cited references similarly fails teach or suggest the claimed limitation.

For the above reasons, *prima facie* obviousness has not been established and the rejection of Claim 17 is improper. Similarly, the rejection of dependent Claims 18-23 is improper for the same reasons.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



Tim Curington
Reg. No. 45,944

Tim W. Curington
17427 Rolling Creek
Houston, Texas 77090
281-440-1751

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